IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CIVIL CASE NO. 1:07cv184

BORGWARNER, INC. and BORGWARNER TURBO SYSTEMS, INC.,)	
	Plaintiffs,)	
	vs.)	ORDER
HONEYWELL INTERNATIONAL, INC.,)))	
	Defendant.)	
		_)	

THIS MATTER is before the Court on the Defendant's Limited

Objection to the Magistrate Judge's Memorandum and Recommendation filed on October 16, 2007.

Pursuant to 28 U.S.C. § 636(b) and the standing Orders of

Designation of this Court, the undersigned referred the Defendant's Motion
to Transfer to the Magistrate Judge for a recommendation as to disposition
of this motion. Having conducted a *de novo* review of those portions of the
recommendation to which specific objections were filed, and having

evaluated and balanced independently the eleven factors relevant to determining whether a discretionary transfer is proper, see American Motorist Ins. Co. v. CTS Corp., 356 F. Supp. 2d 583, 585 (W.D.N.C. 2005), the Court adopts the factual findings of the Magistrate Judge as set out in the Memorandum and Recommendation, and concludes, for the reasons stated therein, that both quantitatively and qualitatively, the factors weigh in favor of retention of this matter in this district.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Magistrate Judges Memorandum and Recommendation filed October 16, 2007 is hereby **ADOPTED**, and the Defendant's Motion to Transfer is **DENIED**. **IT IS SO ORDERED**.

Signed: February 11, 2008

Martin Reidinger

United States District Judge